



AGENDA  
CITY COMMISSION MEETING  
COMMISSION CHAMBERS, CITY HALL  
MONDAY, OCTOBER 27, 2014 5:30 PM

1. CALL TO ORDER

INVOCATION

PLEDGE OF ALLEGIANCE TO THE FLAG OF THE UNITED STATES OF AMERICA

2. PROCLAMATIONS:

3. PRESENTATIONS: Florida Association of City Clerks

4. CONSENT AGENDA:

Routine items are placed on the Consent Agenda to expedite the meeting. If the Commission/Staff wish to discuss any item, the procedure is as follows: (1) pull the item(s) from the Consent Agenda; (2) vote on remaining items with one roll call vote, (3) discuss each pulled item and vote by roll call

A. CITY COMMISSION MEETING MINUTES:

B. PURCHASING ITEMS:

1. Purchase request by the Public Works Department for the FY 2015 purchase of concrete sidewalk, curb & gutter construction services from Mott Concrete, Inc. under an existing agreement.

C. RESOLUTIONS:

1. A Resolution of the City of Leesburg, Florida, accepting a Utility Easement from Lake Square Presbyterian Church, Inc., as Grantor, to the City of Leesburg, as Grantee, pertaining to land located in Section 14, Township 19 South, Range 25 East, Lake County, Florida; and providing an effective date.
2. A Resolution of the City Commission of the City of Leesburg, Florida authorizing a Utility Easement from Reginald A. Fechtel, Sr., Trustee, as Grantor, to the City of Leesburg, as Grantee, pertaining to land located in Section 26, Township 19 South, Range 24 East, Lake County, Florida; and providing an effective date.

3. Resolution of the City Commission of the City of Leesburg, Florida, authorizing the Mayor and City Clerk to execute a Master Service Agreement with Summit Broadband Inc.; and providing an effective date.
4. Resolution of the City Commission of the City of Leesburg, Florida, accepting a utility easement from Robert W. Bowersox, Donna H. Thomas, and Joseph Parrish, Jr., for property located in Lot 2, of W.C. Wilkins Subdivision, in the City of Leesburg, Lake County, Florida; and providing an effective date.
5. Resolution of the City Commission of the City of Leesburg, Florida accepting a utility easement from T&M United Corporation, pertaining to land located in Section 27, Township 19 South, Range 24 East, Lake County, Florida; and providing an effective date.
6. Resolution to the City Commission of the City of Leesburg, Florida, accepting a quitclaim deed from AMVETS Post 2006, Inc., for property located in Block 4 of South Lake Park, a Subdivision within the City of Leesburg, Florida; and providing an effective date.
7. Resolution of the City of Leesburg, Florida, accepting a Utility Easement from Pinewoods Belle, LLC, as Grantor, to the City of Leesburg, as Grantee, pertaining to land located in Section 32, Township 19 South, Range 25 East, Lake County, Florida; and providing an effective date.
8. Resolution of the City Commission of the City of Leesburg, Florida, authorizing the Mayor and City Clerk to execute an amendment to Blackbird Aviation Building, LLC's lease agreement dated October 14, 2013; and providing an effective date.
9. Resolution of the City Commission of the City of Leesburg, Florida authorizing installation of traffic calming devices on north 13th Street between Line Street and Main Street.
10. Resolution of the City Commission of the City of Leesburg, Florida authorizing the Public Works Department to seek a FRDAP Grant for the Susan Street Recreation Complex; and providing an effective date.
11. A Resolution of the City Commission of the City of Leesburg, Florida authorizing the City of Leesburg Public Works Department in partnership with the Kids Korner Committee to seek a FRDAP Grant for the Kids Korner playground.

5. PUBLIC HEARINGS AND NON-ROUTINE ITEMS:

- A. Second Reading of an Ordinance Providing Impact Fee Waivers for Redevelopment Projects
- B. Second Reading of an Ordinance creating a Bird Sanctuary in designated areas and providing for area amendments by resolution

- C. First reading of an ordinance of the City of Leesburg, Florida, amending Chapter 5 Subsection 3(a) of the Code of Ordinances pertaining to sales of alcoholic beverages, creating an exception from the setback requirements for nonprofit corporations in the P (Public) zoning district only, under limited circumstances, for occasional sales with a Conditional Use Permit.
  - D. First reading of an ordinance of the City of Leesburg, Florida, amending the Code of Ordinances Chapter 5 to add Subsection 16 Medical Marijuana to prohibit such uses.
  - E. Resolution electing to use the uniform method of collecting non-ad valorem special assessments levied within the incorporated area of the City.
  - F. Resolution of the City Commission of the City of Leesburg, Florida authorizing the Mayor and City Clerk to execute an Annexation Agreement with Covanta Lake II, Inc.
  - G. Resolution of the City Commission of the City of Leesburg, Florida authorizing the Mayor and City Clerk to execute an agreement with Covanta Lake II, Inc. for disposal of solid waste.
  - H. Resolution authorizing execution of a construction services agreement with MDH Enterprises Inc. d/b/a Electrical Solutions for the Carver Heights Residential Electric Service Upgrade project.
  - I. Resolution authorizing execution of an agreement with Public Financial Management, Inc. to provide Financial Advisor Services.
  - J. First reading of an ordinance of the City of Leesburg, Florida, repealing Chapter 25 Zoning Code Section 25-292 Supplemental District Requirements Subsection (3) Alcoholic beverages uses due to a conflict with Chapter 5 Alcoholic Beverages of the code.
  - K. Approval of monument signs for Sleepy Hollow and Susan Street Recreational Complexes.
6. INFORMATIONAL REPORTS:  
The following reports are provided to the Commission in accordance with the Charter/Ordinances. No action required.
- A. Miscellaneous Accounts Receivable Customers with City Attorney
  - B. Expected Write-offs as of August 2014
  - C. Report of Receipts and Disbursements by Fund August 2014
  - D. City Manager Contingency Fund
7. CITY ATTORNEY ITEMS:

8. CITY MANAGER ITEMS:

9. PUBLIC COMMENTS:

This section is reserved for members of the public to bring up matters of concern or opportunities for praise. Issues brought up will not be discussed in detail at this meeting. Issues will either be referred to the proper staff or will be scheduled for consideration at a future City Commission Meeting. Comments are limited to three minutes.

10. ROLL CALL:

11. ADJOURN:

PERSONS WITH DISABILITIES NEEDING ASSISTANCE TO PARTICIPATE IN ANY OF THESE PROCEEDINGS SHOULD CONTACT THE HUMAN RESOURCES DEPARTMENT, ADA COORDINATOR, AT 728-9740, 48 HOURS IN ADVANCE OF THE MEETING.

F.S.S. 286.0105 "If a person decides to appeal any decision made by the Commission with respect to any matter considered at this meeting, they will need a record of the proceedings, and that for such purpose they may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based." The City of Leesburg does not provide this verbatim record.



# AGENDA MEMORANDUM

**Item No:** 4.B.1.

**Meeting Date:** October 27, 2014

**From:** DC Maudlin, Public Works Director

**Subject:** Purchase request by Public Works for the purchase of FY 2015 concrete sidewalk, curb and gutter construction services.

---

**Staff Recommendation:**

Staff recommends approval of the annual expenditure for concrete sidewalk, curb & gutter construction services under an existing fixed unit price agreement with Mott Concrete, Inc. not to exceed \$174,431.00.

**Analysis:**

On January 13, 2014 Commission approved Resolution 9331 authorizing execution of a fixed unit price agreement with Mott Concrete, Inc. This agreement was the result of a competitive solicitation for concrete, curb, and gutter construction services on an as needed basis.

This purchasing item requests approval of the Fiscal Year 2015 expenditure not to exceed the budgeted amount of \$174,431.00 for these construction services. The Public Works Department has budgeted \$154,431.00 for sidewalks on the south side of Dixie Ave from Canal Street to US Highway 27 and sidewalk work in other areas of the City. There is an additional \$20,000.00 budgeted for curb and gutter replacement on various streets throughout the City.

This approval is for a not to exceed amount. Should actual expenditures be less or funds be needed for other uses they will be reallocated to those uses and the appropriate approvals for those expenditures will be sought.

**Options:**

1. Approve the annual expenditure as listed to Mott Concrete, Inc.; or
2. Such alternative action as the Commission may deem appropriate

**Fiscal Impact:**

Funds have been budgeted and are available for Fiscal Year 2015.

Submission Date and Time: 10/22/2014 4:45 PM

<p>Department: <u>Public Works</u></p> <p>Prepared by: <u>Terry Pollard</u></p> <p>Attachments: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <p>Advertised: <input type="checkbox"/> Not Required <input checked="" type="checkbox"/></p> <p>Dates: _____</p> <p>Attorney Review : Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p>_____</p> <p>Revised 6/10/04</p>	<p>Reviewed by: Dept. Head DCM</p> <p>Finance Dept. _____</p> <p>Deputy C.M. _____</p> <p>Submitted by: _____</p> <p>City Manager _____</p>	<p>Account No. <u>001-5112-541.46-25</u></p> <p>Project No. _____</p> <p>WF No. _____</p> <p>Req No. <u>47009</u></p> <p>Budget <u>\$174,431.00</u></p> <p>Available <u>\$174,431.00</u></p>
--	---	--



# AGENDA MEMORANDUM

**Item No:** 4.C.1.

**Meeting Date:** October 22, 2014

**From:** Patrick Foster, Electric Director

**Subject:** Resolution accepting a Utility Easement from Lake Square Presbyterian Church, Inc., pertaining to land located in Section 14, Township 19 South, Range 25 East, Lake County, Florida

---

## Staff Recommendation:

Staff recommends adoption of the Resolution of the City Commission of the City of Leesburg, Florida, accepting the Utility Easement from Lake Square Presbyterian Church, Inc., whose address is 10200 Morningside Drive, Leesburg, FL, pertaining to land located in Section 14, Township 19, South, Range 25 East, Lake County, Florida 1208 Nebraska Street, Leesburg, Lake County, Florida.

## Analysis:

Lake Square Presbyterian Church, Inc., is granting a Utility Easement to the City of Leesburg for the purpose of construction, installation, repair, maintenance, replacement and improvement of the underground or above ground utilities, including but not limited to water, sewer, reuse water, natural gas, electricity, cable television, fiber optics and telecommunication.

## Options:

1. Adopt the Resolution as presented, or:
2. Such alternative action as the Commission may deem appropriate

## Fiscal Impact:

None

**Submission Date and Time:** 10/22/2014 4:45 PM

Department: <u>Electric</u> Prepared by: <u>Sabrina Hubbell</u> Attachments: Yes <u>X</u> No <u>    </u> Advertised: <u>    </u> Not Required <u>X</u> Dates: <u>    </u> Attorney Review: Yes <u>X</u> No <u>    </u>  Revised 6/10/04	Reviewed by: Dept. Head <u>Patrick Foster</u>  Finance Dept. <u>    </u>  Deputy C.M. <u>    </u> Submitted by: <u>    </u> City Manager <u>    </u>	Account No. <u>    </u>  Project No. <u>    </u>  WF No. <u>    </u>  Budget <u>    </u>  Available <u>    </u>
--	--	---

RESOLUTION NO. \_\_\_\_\_

RESOLUTION OF THE CITY OF LEESBURG, FLORIDA,  
ACCEPTING A UTILITY EASEMENT FROM LAKE SQUARE  
PRESBYTERIAN CHURCH, INC., AS GRANTOR, TO THE CITY  
OF LEESBURG, AS GRANTEE, PERTAINING TO LAND  
LOCATED IN SECTION 14, TOWNSHIP 19 SOUTH, RANGE 25  
EAST, LAKE COUNTY, FLORIDA; AND PROVIDING AN  
EFFECTIVE DATE.

BE IT ENACTED BY THE PEOPLE OF THE CITY OF LEESBURG, FLORIDA, that:

**Section 1.**

The City of Leesburg, Florida, does hereby accept from Lake Square Presbyterian Church, Inc., a Utility Easement dated August 19, 2012, and recorded in Official Records Book 4204, Pages 2248-2252, Public Records of Lake County, Florida, conveying certain real property located in Section 14, Township 19 South, Range 25 East, Lake County, Florida, and more particularly described in said Utility Easement to the City of Leesburg.

**Section 2.**

If any portion of this ordinance is declared invalid or unenforceable, then to the extent it is possible to do so without destroying the overall intent and effect of this Resolution, the portion deemed invalid or unenforceable shall be severed herefrom and the remainder of this ordinance shall continue in full force and effect as if it were enacted without including the portion found to be invalid or unenforceable.

**Section 3.**

This Resolution shall become effective upon its passage and adoption according to law.

**PASSED AND ADOPTED** at the regular meeting of the City Commission of the City of Leesburg, Florida, held on the 27th day of October, 2014.

THE CITY OF LEESBURG

By: \_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk





# AGENDA MEMORANDUM

**Item No:** 4.C.2.

**Meeting Date:** October 27, 2014

**From:** Patrick Foster, Electric Director

**Subject:** A Resolution of the City Commission of the City of Leesburg, Florida authorizing a Utility Easement from Reginald A. Fechtel, Sr., Trustee, as Grantor, to the City of Leesburg, as Grantee, pertaining to land located in Section 26, Township 19 South, Range 24 East, Lake County, Florida; and providing an effective date.

---

**Staff Recommendation:**

Staff recommends adoption of the Resolution of the City Commission of the City of Leesburg, Florida, accepting the Utility Easement from Reginald A. Fechtel, Sr., as Trustee of the Reginald A Fechtel, Sr. Revocable Living Trust Dated 1-13-04; Tami Fechtel Hindman; Teresa Lynn Fechtel; and Reginald A. Fechtel, Jr., dated June 14, 2013, and recorded in Official Records Book 4343, Pages 1162-1168, Public Records of Lake County, Florida, conveying certain real property located in Section 26, Township 19 South, Range 24 East, Lake County, Florida, and more particularly described in said Utility Easement, to the City of Leesburg.

**Analysis:**

Reginald A Fechtel, Sr., Trustee, is granting a Utility Easement to the City of Leesburg for the purpose of construction, installation, repair, maintenance, replacement and improvement of the underground or above ground utilities, including but not limited to water, sewer, reuse water, natural gas, electricity, cable television, fiber optics and telecommunication.

**Options:**

1. Adopt the Resolution as presented, or:
2. Such alternative action as the Commission may deem appropriate

**Fiscal Impact:**

None

**Submission Date and Time:** 10/22/2014 4:45 PM

Department: <u>Electric</u> Prepared by: <u>Sabrina Hubbell</u> Attachments: Yes <u>X</u> No <u>    </u> Advertised: <u>    </u> Not Required <u>X</u> Dates: <u>    </u> Attorney Review : Yes <u>X</u> No <u>    </u> <u>    </u> Revised 6/10/04	Reviewed by: Dept. Head <u>Patrick Foster</u>  Finance Dept. <u>    </u>  Deputy C.M. <u>    </u> Submitted by: <u>    </u> City Manager <u>    </u>	Account No. <u>    </u>  Project No. <u>    </u>  WF No. <u>    </u>  Budget <u>    </u>  Available <u>    </u>
--	--	---

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LEESBURG, FLORIDA AUTHORIZING A UTILITY EASEMENT FROM REGINALD A. FECHTEL, SR., TRUSTEE, AS GRANTOR, TO THE CITY OF LEESBURG, AS GRANTEE, PERTAINING TO LAND LOCATED IN SECTION 26, TOWNSHIP 19 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE.**

**BE IT ENACTED BY THE PEOPLE OF THE CITY OF LEESBURG, FLORIDA, that:**

**Section 1.**

The City of Leesburg, Florida, does hereby accept from Reginald A. Fechtel, Sr., as Trustee of the Reginald A. Fechtel, Sr. Revocable Living Trust Dated 1-13-04; Tami Fechtel Hindman; Teresa Lynn Fechtel; and Reginald A. Fechtel, Jr., a Utility Easement dated June 14, 2013, and recorded in Official Records Book 4343, Pages 1162-1168, Public Records of Lake County, Florida, conveying certain real property located in Section 26, Township 19 South, Range 24 East, Lake County, Florida, and more particularly described in said Utility Easement to the City of Leesburg.

**Section 2.**

If any portion of this ordinance is declared invalid or unenforceable, then to the extent it is possible to do so without destroying the overall intent and effect of this Resolution, the portion deemed invalid or unenforceable shall be severed herefrom and the remainder of this ordinance shall continue in full force and effect as if it were enacted without including the portion found to be invalid or unenforceable.

**Section 3.**

This Resolution shall become effective upon its passage and adoption according to law.

**PASSED AND ADOPTED** at the regular meeting of the City Commission of the City of Leesburg, Florida, held on the 27th day of October, 2014.

THE CITY OF LEESBURG

By: \_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk



# AGENDA MEMORANDUM

**Item No:** 4.C.3.

**Meeting Date:** October 27, 2014

**From:** Jim Lemberg – Manager, Communications Utility

**Subject:** Resolution authorizing Master Service Agreement with Summit Broadband.

---

## Staff Recommendation:

Staff recommends approval of a resolution authorizing a Master Service Agreement for communications services with Summit Broadband.

## Analysis:

The Master Service Agreement provides the general terms and conditions under which the customer will place orders for communications services from the City's Communications Utility.

## Options:

1. Approve the resolution, or
2. Such alternative action as the Commission may deem appropriate

## Fiscal Impact:

This agreement will have no fiscal impact.

**Submission Date and Time:** 10/22/2014 4:45 PM

Department: <u>IT/Communications</u>	Reviewed by: Dept. Head _____	Account No. <u>n/a</u>
Prepared by: <u>Jim Lemberg</u>	Finance Dept. _____	Project No. <u>n/a</u>
Attachments: Yes <u>X</u> No _____	Deputy C.M. _____	WF No. <u>n/a</u>
Advertised: <u>Not Required</u> <u>X</u>	Submitted by: _____	Budget <u>n/a</u>
Dates: <u>n/a</u>	City Manager _____	Available <u>n/a</u>
Attorney Review : Yes <u>X</u> No _____		
<u>Revised 6/10/04</u>		

RESOLUTION NO. \_\_\_\_\_

RESOLUTION OF THE CITY COMMISSION OF THE CITY OF  
LEESBURG, FLORIDA, AUTHORIZING THE MAYOR AND  
CITY CLERK TO EXECUTE A MASTER SERVICE AGREEMENT  
WITH SUMMIT BROADBAND INC.; AND PROVIDING AN  
EFFECTIVE DATE.

**BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF LEESBURG,  
FLORIDA:**

**THAT** the Mayor and City Clerk are hereby authorized to execute a Master Service Agreement with Summit Broadband Inc., whose address is 4558 35th St., Orland, OR 32811, under which communications services are provided.

**THAT** this resolution shall become effective immediately.

**PASSED AND ADOPTED** by the City Commission of the City of Leesburg, Florida, at a regular meeting held the twenty-seventh day of October 2014.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk



# AGENDA MEMORANDUM

**Item No:** 4.C.4.  
**Meeting Date:** October 27, 2014  
**From:** Adrian C. Parker, CPM, Development Review Coordinator  
**Subject:** Resolution accepting an Easement for Utilities

---

**Staff Recommendation:**

Staff recommends acceptance of a Utility Easement on Lot 2, of W.C. Wilkins Subdivision, in the City of Leesburg, Lake County, Florida.

**Analysis:**

The City of Leesburg, Development Review Committee, approved a Lot Line Deviation for Robert W. Bowersox that affected a portion of Lot 2, of W.C. Wilkins Subdivision, in the City of Leesburg, Lake County, Florida. The utility location on the affected lot will need to be realigned and required additional utility easements were not present on the lot when deviated.

**Options:**

1. Accept the Utility Easement; or
2. Such alternative action as the Commission may deem appropriate

**Fiscal Impact:**

There is no Fiscal Impact to the City

**Submission Date and Time:** 10/22/2014 4:45 PM

Department: <u>Public Works</u> Prepared by: <u>Adrian C. Parker</u> Attachments: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Advertised: <input type="checkbox"/> Not Required <input type="checkbox"/> Dates: _____ Attorney Review : Yes <input type="checkbox"/> No <input type="checkbox"/> _____ Revised 6/10/04	Reviewed by: Dept. Head _____ Finance Dept. _____ Deputy C.M. _____ Submitted by: _____ City Manager _____	Account No. _____ Project No. _____ WF No. _____ Budget _____ Available _____
---	--	---

RESOLUTION NO. \_\_\_\_\_

RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LEESBURG, FLORIDA, ACCEPTING A UTILITY EASEMENT FROM ROBERT W. BOWERSOX, DONNA H. THOMAS, AND JOSEPH PARRISH, JR., FOR PROPERTY LOCATED IN LOT 2, OF W.C. WILKINS SUBDIVISION, IN THE CITY OF LEESBURG, LAKE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE.

**BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF LEESBURG, FLORIDA:**

**THAT** The City of Leesburg, Florida, does hereby accept from Robert W. Bowersox, Donna H. Thomas, as successor trustee of the Albert Hollins Revocable Trust Agreement dated January 29, 1990, and Joseph A. Parrish, Jr., as successor trustee of Betty Ruth Hollings Revocable Trust Agreement dated January 29, 1990, a Utility Easement, recorded on September 25, 2014, in Official Records Book 4531, Pages 1193-1199, Public Records of Lake County, Florida, conveying certain real property lying in Lot 2, of W.C. Wilkins Subdivision, in the City of Leesburg, Lake county, Florida, and more particularly described in said Utility Easement, to the City of Leesburg.

**THAT** this resolution shall become effective immediately.

**PASSED AND ADOPTED** by the City Commission of the City of Leesburg, Florida, at a regular meeting held the 27th day of October 2014.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk



# AGENDA MEMORANDUM

**Item No:** 4.C.5.  
**Meeting Date:** October 27, 2014  
**From:** Adrian C. Parker, CPM, Development Review Coordinator  
**Subject:** Resolution accepting an Easement for Utilities

---

**Staff Recommendation:**

Staff recommends acceptance of the Utility Easement

**Analysis:**

The City of Leesburg Development Review Committee approved a development, proposed by T&M United Corporation, for a new Convenience Store at the intersection Us 27 (14<sup>th</sup> Street) and SR 44 (South Street). The new development required city utility services and required adequate easements to install and maintain the required utilities.

**Options:**

1. Accept the Utility Easement; or
2. Such alternative action as the Commission may deem appropriate

**Fiscal Impact:**

There is no Fiscal Impact on the City

**Submission Date and Time:** 10/22/2014 4:45 PM

Department: <u>Public Works</u> Prepared by: <u>Adrian C. Parker</u> Attachments: Yes <u>X</u> No <u>      </u> Advertised: <u>      </u> Not Required <u>      </u> Dates: <u>      </u> Attorney Review : Yes <u>      </u> No <u>      </u> <u>      </u> Revised 6/10/04	Reviewed by: Dept. Head <u>      </u> Finance Dept. <u>      </u> Deputy C.M. <u>      </u> Submitted by: City Manager <u>      </u>	Account No. <u>      </u> Project No. <u>      </u> WF No. <u>      </u> Budget <u>      </u> Available <u>      </u>
---	--	---



RESOLUTION NO. \_\_\_\_\_

RESOLUTION OF THE CITY COMMISSION OF THE CITY OF  
LEESBURG, FLORIDA ACCEPTING A UTILITY EASEMENT  
FROM T&M UNITED CORPORATION, PERTAINING TO LAND  
LOCATED IN SECTION 27, TOWNSHIP 19 SOUTH, RANGE 24  
EAST, LAKE COUNTY, FLORIDA; AND PROVIDING AN  
EFFECTIVE DATE.

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF LEESBURG,  
FLORIDA:

**THAT** the City of Leesburg, Florida, does hereby accept from T&M United Corporation a Utility Easement dated November 13, 2012, and recorded in Official Records Book 4249, Pages 437-441, Public Records of Lake County, Florida, conveying an easement for utilities lying upon certain real property located in Section 27, Township 19 South, Range 24 East, Lake County, Florida and more particularly described in said Utility Easement, to the City of Leesburg.

**THAT** this resolution shall become effective immediately.

**PASSED AND ADOPTED** by the City Commission of the City of Leesburg, Florida, at a regular meeting held the 2th day of October 2014.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk



## AGENDA MEMORANDUM

**Item No:** 4.C.6.  
**Meeting Date:** October 27, 2014  
**From:** Adrian C. Parker, CPM, Development Review Coordinator  
**Subject:** Resolution accepting a Quitclaim Deed

---

**Staff Recommendation:**

Staff recommends acceptance of the Quitclaim Deed

**Analysis:**

Part of the beatification and renovation of Canal Street, by the City of Leesburg, included a trail along the east side of Canal Street. The trail lies east of the easterly right of way of Canal Street and required dedication of additional right of way by adjacent owners. The quitclaim deed is conveying an additional 10' of right of way on the easterly side of Canal Street to accommodate the trail.

**Options:**

1. Accept the Quitclaim Deed; or
2. Such alternative action as the Commission may deem appropriate

**Fiscal Impact:**

There is no Fiscal Impact to the City of Leesburg

**Submission Date and Time:** 10/22/2014 4:45 PM

Department: <u>Public Works</u> Prepared by: <u>Adrian C. Parker</u> Attachments: Yes <u>X</u> No <u>      </u> Advertised: <u>      </u> Not Required <u>      </u> Dates: <u>      </u> Attorney Review : Yes <u>      </u> No <u>      </u>  <u>      </u> Revised 6/10/04	Reviewed by: Dept. Head <u>      </u>  Finance Dept. <u>      </u>  Deputy C.M. <u>      </u> Submitted by: <u>      </u> City Manager <u>      </u>	Account No. <u>      </u>  Project No. <u>      </u>  WF No. <u>      </u>  Budget <u>      </u>  Available <u>      </u>
---	--	---

RESOLUTION NO. \_\_\_\_\_

RESOLUTION TO THE CITY COMMISSION OF THE CITY OF  
LEESBURG, FLORIDA, ACCEPTING A QUITCLAIM DEED  
FROM AMVETS POST 2006, INC., FOR PROPERTY LOCATED  
IN BLOCK 4 OF SOUTH LAKE PARK, A SUBDIVISION WITHIN  
THE CITY OF LEESBURG, FLORIDA; AND PROVIDING AN  
EFFECTIVE DATE.

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF LEESBURG,  
FLORIDA:

**THAT** the City of Leesburg, Florida, does hereby accept from AMVET Post 2006, Inc., a Quitclaim Deed dated June 23, 2014, and recorded in Official Records Book 4497, Page 706, Public Records of Lake County, Florida, conveying certain real property located in Block 4 of Southlake Park, within the City of Leesburg, Florida, and more particularly described in said Quitclaim Deed, to the City of Leesburg.

**THAT** this resolution shall become effective immediately.

**PASSED AND ADOPTED** by the City Commission of the City of Leesburg, Florida, at a regular meeting held the 27th day of October 2014.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk



# AGENDA MEMORANDUM

**Item No:** 4.C.7.

**Meeting Date:** October 27, 2014

**From:** Patrick Foster, Electric Director

**Subject:** Resolution accepting a Utility Easement from Pineywoods Belle, LLC, pertaining to land located in Section 32, Township 19 South, Range 25 East, Lake County, Florida

---

## Staff Recommendation:

Staff recommends adoption of the Resolution accepting the Utility Easement from Pineywoods Belle, LLC pertaining to land located in Section 32, Township 19 South, Range 25 East, Lake County, Florida.

## Analysis:

Pineywoods Belle, LLC is granting a Utility Easement to the City of Leesburg for the purpose of construction, installation, repair, maintenance, replacement and improvement of the underground or above ground utilities, including but not limited to water, sewer, reuse water, natural gas, electricity, cable television, fiber optics and telecommunication.

## Options:

1. Adopt the Resolution accepting the Utility Easement as presented; or,
2. Such alternative action as the Commission may deem appropriate

## Fiscal Impact:

None

**Submission Date and Time:** 10/22/2014 4:45 PM

Department: <u>Electric</u> Prepared by: <u>Sabrina Hubbell</u> Attachments: Yes <u>X</u> No _____ Advertised: _____ Not Required <u>X</u> Dates: _____ Attorney Review : Yes <u>X</u> No _____ Revised 6/10/04	Reviewed by: Dept. Head <u>Patrick Foster</u>  Finance Dept. _____ Deputy C.M. _____ Submitted by: _____ City Manager _____	Account No. _____ Project No. _____ WF No. _____ Budget _____ Available _____
---	--	---

RESOLUTION NO. \_\_\_\_\_

RESOLUTION OF THE CITY OF LEESBURG, FLORIDA,  
ACCEPTING A UTILITY EASEMENT FROM PINEYWOODS  
BELLE, LLC, AS GRANTOR, TO THE CITY OF LEESBURG, AS  
GRANTEE, PERTAINING TO LAND LOCATED IN SECTION 32,  
TOWNSHIP 19 SOUTH, RANGE 25 EAST, LAKE COUNTY,  
FLORIDA; AND PROVIDING AN EFFECTIVE DATE.

BE IT ENACTED BY THE PEOPLE OF THE CITY OF LEESBURG, that

**Section 1.**

The City of Leesburg, Florida, does hereby accept from Pineywoods Belle, LLC, a Utility Easement dated May 9, 2013, and recorded in Official Records Book 4329, Pages 938—942, Public Records of Lake County, Florida, conveying certain real property located in Section 32, Township 19 South, Range 25 East, Lake County, Florida, and more particularly described in said Utility Easement, to the City of Leesburg.

**Section 2.**

If any portion of this ordinance is declared invalid or unenforceable, then to the extent it is possible to do so without destroying the overall intent and effect of this ordinance, the portion deemed invalid or unenforceable shall be severed herefrom and the remainder of this ordinance shall continue in full force and effect as if it were enacted without including the portion found to be invalid or unenforceable.

**Section 3.**

This Resolution shall become effective upon its passage and adoption according to law.

**PASSED AND ADOPTED** at the regular meeting of the City Commission of the City of Leesburg, Florida, held on the 27<sup>th</sup> day of October, 2014.

THE CITY OF LEESBURG

By: \_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk



# AGENDA MEMORANDUM

**Item No:** 4.C.8.  
**Meeting Date:** October 27, 2014  
**From:** Leo Treggi, Airport Manager  
**Subject:** Resolution approving the First Amendment to Blackbird Aviation's Lease Agreement

---

**Staff Recommendation:**

Staff recommends approval of the amendment.

**Analysis:**

The intent of this amendment is to add 10 ft. along the eastern property line of Blackbird Aviation's leasehold and to modify part of the terms of the original lease. The original lease was approved by the Commission on October 14, 2013, which included construction of improvements.

During the development of the site plan, it was concluded that additional land was necessary in order to comply with certain building codes. This amendment adds the necessary land to the leasehold and increases the rent accordingly.

Additionally, Mr. Vosseler requests an option of 20 years, at improved land rates, to be added to the lease agreement considering that his investment on the property has almost doubled (approximately \$800,000.00) since the lease agreement was first negotiated. The option would allow Mr. Vosseler enough time to recover his investment on the property. Also, there would be an increase in airport revenue during that period.

**Options:**

1. Approve the execution of the amendment to Blackbird Aviation's Lease Agreement; or
2. Such alternative action as the Commission may deem appropriate

**Fiscal Impact:**

There is an increase in airport revenue of \$33.99 per month or \$407.88 per year.

**Submission Date and Time:** 10/22/2014 4:45 PM

Department: <u>Airport</u> Prepared by: <u>Leo Treggi</u> Attachments: Yes <u>X</u> No <u>    </u> Advertised: <u>    </u> Not Required <u>X</u> Dates: <u>    </u> Attorney Review: Yes <u>X</u> No <u>    </u> <u>    </u> Revised 6/10/04	Reviewed by: Dept. Head <u>    </u> Finance Dept. <u>    </u> Deputy C.M. <u>    </u> Submitted by: <u>    </u> City Manager <u>    </u>	Account No. <u>048-0000-362-0200</u> Project No. <u>    </u> WF No. <u>    </u> Budget <u>    </u> Available <u>    </u>
---	--	--

RESOLUTION NO. \_\_\_\_\_

RESOLUTION OF THE CITY COMMISSION OF THE CITY OF  
LEESBURG, FLORIDA, AUTHORIZING THE MAYOR AND  
CITY CLERK TO EXECUTE AN AMENDMENT TO BLACKBIRD  
AVIATION BUILDING, LLC'S LEASE AGREEMENT DATED  
OCTOBER 14, 2013; AND PROVIDING AN EFFECTIVE DATE.

**BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF LEESBURG,  
FLORIDA:**

**THAT** the Mayor and City Clerk are hereby authorized to execute the First Amendment to Lease Agreement with Blackbird Aviation Building, LLC, whose address is 8600 Airport Blvd., Leesburg, FL 34788, for property located at the Leesburg International Airport, as described on the boundary survey attached to the First Amendment.

**THAT** this resolution shall become effective immediately.

**PASSED AND ADOPTED** by the City Commission of the City of Leesburg, Florida, at a regular meeting held the 27<sup>th</sup> day of October 2014.

\_\_\_\_\_  
John Christian, Mayor

ATTEST:

\_\_\_\_\_  
Betty Richardson, City Clerk



# AGENDA MEMORANDUM

**Item No:** 4.C.9.

**Meeting Date:** October 27, 2014

**From:** DC Maudlin, Public Works Director

**Subject:** Resolution authorizing installation of traffic calming devices on north 13th Street between Line Street and Main Street.

---

**Staff Recommendation:**

Staff recommends approval of traffic calming devices on north 13<sup>th</sup> Street between Line Street and Main Street.

**Analysis:**

Administration officials from First Academy and First Baptist Church, Leesburg have requested traffic calming devices on north 13<sup>th</sup> Street between Line Street and Main Street. Specifically they have requested installation of 4-way stop signs at Line Street and High Street. In addition, installation of two speed table crosswalks – one connecting the parking area to the main church entrance, a second one connecting the school administrative offices with the staff parking area and a painted crosswalk between Main Street and High Street. (see attached sketch)

This section of 13<sup>th</sup> Street is frequently used as a cut-through route for drivers looking for a way to avoid the congestion on US 27/14<sup>th</sup> Street. The cut-through traffic, trying to traverse the route as quickly as possible, combined with the normal business traffic, parents dropping off and picking up students attending First Academy, and students walking between buildings create a very busy school zone. The church also operates a pre-school child care facility in this area adding pre-school toddlers to the mix.

Traffic counts and speed checks during the week of October 13<sup>th</sup> determined the 24 hour vehicular count passing through the area on 13<sup>th</sup> Street was 3301 vehicles and 29.5% of the vehicles exceeded 20 miles per hour.

The 4-way stop signs at the Line Street and High Street intersections will break up the flow of traffic causing a reduction in the average speed. The speed tables will provide marked crosswalk areas, reducing the number of pedestrian crossing points and help reduce vehicle speed.



**Options:**

1. Authorize installation of the traffic calming devices; or
2. Such alternative action as the Commission may deem appropriate

**Fiscal Impact:**

Installation of 8 stop signs will cost approximately \$800. The speed tables and crosswalk will be installed by First Baptist Church.

**Submission Date and Time:** 10/22/2014 4:45 PM

<b>Department:</b> Public Works <b>Prepared by:</b> DC Maudlin <b>Attachments:</b> yes XX No _____ <b>Advertised:</b> _____ Not Required _____ <b>Dates:</b> _____ <b>Attorney Review :</b> Yes___ No ___ _____ <b>Revised</b> 6/10/04	<b>Reviewed by:</b> Dept. Head dcm  <b>Finance Dept.</b> _____  <b>Deputy C.M.</b> _____ <b>Submitted by:</b> <b>City Manager</b> _____	<b>Account No.</b> _____ <b>Project No.</b> _____ <b>WF No.</b> _____ <b>Budget</b> _____ <b>Available</b> _____
---	---	--

RESOLUTION NO. \_\_\_\_\_

RESOLUTION OF THE CITY COMMISSION OF THE CITY OF  
LEESBURG, FLORIDA AUTHORIZING INSTALLATION OF  
TRAFFIC CALMING DEVICES ON NORTH 13TH STREET  
BETWEEN LINE STREET AND MAIN STREET; AND  
PROVIDING AN EFFECTIVE DATE.

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF LEESBURG,  
FLORIDA:

**THAT** the City Commission has authorized installation of traffic calming devices on  
north 13<sup>th</sup> Street between Line Street and Main Street.

**THAT** this resolution shall become effective immediately.

**PASSED AND ADOPTED** by the City Commission of the City of Leesburg, Florida, at a  
regular meeting held the 27<sup>th</sup> day of October 2014.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk



# AGENDA MEMORANDUM

**Item No:** 4.C.10.

**Meeting Date:** October 27, 2014

**From:** Jennifer Magavero, Assistant Director of Public Works

**Subject:** Resolution approving the Public Works Department to seek a FRDAP Grant for the Susan Street Recreation Complex.

---

## Staff Recommendation:

The staff recommends approval of request from the Public Works Department to seek a FRDAP Grant for the Susan Street Recreation Complex.

## Analysis:

The Public Works Department is seeking approval to pursue a FRDAP (Florida Recreation Development Assistance Program) Grant through DEP (Department of Environmental Protection). This grant request would pursue funding to implement Phase III of the Susan Street Recreation Complex Master Plan. This Phase includes development of the unpaved parking area south of the football field into a picnic area and park. This park area will include construction of three picnic pavilions. Paved walking trails will wind through this area and provide connectivity to paved walkways in Phase I as well as to Gardenia Trail. Phase III will also include construction of paved parking to the north of the football field and tennis courts to replace the parking lost with the construction of the park.

## Options:

1. Approve the request of the Public Works Department to seek a FRDAP Grant; or
2. Such alternative action as the Commission may deem appropriate

## Fiscal Impact:

In FY15/16, the Public Works Capital Improvement Plan includes \$327,000 for Phase III of the Susan Street Master Plan which did not include the picnic pavilions. Current cost estimates, including pavilions is \$420,000. Should DEP award the full \$200,000 the City will see a savings of \$200,000.

**Submission Date and Time:** 10/22/2014 4:45 PM

Department: <u>Public Works</u> Prepared by: <u>Amy Serrano</u> Attachments: Yes <u>X</u> No <u>    </u> Advertised: <u>Not Required</u> <u>X</u> Dates: <u>                    </u> Attorney Review: Yes <u>    </u> No <u>    </u> Revised 6/10/04	Reviewed by: Dept. Head <u>            </u> Finance Dept. <u>                    </u> Deputy C.M. <u>                    </u> Submitted by: <u>                    </u> City Manager <u>                    </u>	Account No. <u>031-0000-334-2200</u> Project No. <u>                    </u> WF No. <u>                    </u> Budget <u>                    </u> Available <u>                    </u>
--	--	--

RESOLUTION NO. \_\_\_\_\_

RESOLUTION OF THE CITY COMMISSION OF THE CITY OF  
LEESBURG, FLORIDA AUTHORIZING THE PUBLIC WORKS  
DEPARTMENT TO SEEK A FRDAP GRANT FOR THE SUSAN  
STREET RECREATION COMPLEX; AND PROVIDING AN  
EFFECTIVE DATE.

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF LEESBURG,  
FLORIDA:

**THAT** the City Manager is hereby authorized to execute a FRDAP Grant  
Application for the Susan Street Recreation Complex.

**THAT** this resolution shall become effective immediately.

**PASSED AND ADOPTED** by the City Commission of the City of Leesburg, Florida, at a  
regular meeting held the 27th day of October 2014.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk



# AGENDA MEMORANDUM

**Item No:** 4.C.11.

**Meeting Date:** October 27, 2014

**From:** Jennifer Magavero, Assistant Director of Public Works

**Subject:** Approval from the City Commission for the Public Works Department in partnership with the Kids Korner Committee to seek a FRDAP Gant for the Kids Korner playground.

---

## Staff Recommendation:

The staff recommends approval of request from the Public Works Department in partnership with the Kids Korner Committee to seek a FRDAP Grant for the Kids Korner playground.

## Analysis:

The Public Works Department in partnership with the Kids Korner Committee is seeking approval to pursue a FRDAP (Florida Recreation Development Assistance Program) Grant through DEP (Department of Environmental Protection). This grant request would pursue funding to be used on improvements to Kids Korner playground.

## Options:

1. Approve request to apply for a FRDAP grant; or
2. Such alternative action as the Commission may deem appropriate

## Fiscal Impact:

The Kids Korner refurbishment is a \$400,000 project; FRDAP will provide a 50% match; the city will be obligated for the remaining \$200,000. Grant funds are provided on a reimbursable basis.

**Submission Date and Time:** 10/22/2014 4:45 PM

Department: <u>Public Works</u> Prepared by: <u>Jennifer Magavero</u> Attachments: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Advertised: <u>Not Required</u> Dates: _____ Attorney Review : Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> _____ Revised 6/10/04	Reviewed by: Dept. Head <u>DCM</u> Finance Dept. _____ Deputy C.M. _____ Submitted by: _____ City Manager _____	Account No. <u>031-0000-334-2200</u> Project No. _____ WF No. _____ Budget _____ Available _____
--	---	--

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LEESBURG, FLORIDA AUTHORIZING THE CITY OF LEESBURG PUBLIC WORKS DEPARTMENT IN PARTNERSHIP WITH THE KIDS KORNER COMMITTEE TO SEEK A FRDAP GRANT FOR THE KIDS KORNER PLAYGROUND; AND PROVIDING AN EFFECTIVE DATE.

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF LEESBURG, FLORIDA:

**THAT** the City Manager is hereby authorized to execute a FRDAP Grant Application for the Kids Korner playground.

**THAT** this resolution shall become effective immediately.

**PASSED AND ADOPTED** by the City Commission of the City of Leesburg, Florida, at a regular meeting held the 27th day of October 2014.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk



# AGENDA MEMORANDUM

Item No: 5A.  
Meeting Date: October 27, 2014  
From: Al Minner, City Manger  
Subject: Ordinance approving an Impact Fee Waiver Extension

---

## Staff Recommendation:

Approve Ordinance establishing a waiver on impact fees for projects that redevelop vacant properties in the City of Leesburg until March 31, 2015.

## Analysis:

By adopting this ordinance, the Commission expands the current impact fee waiver for projects that consider redevelopment of existing structures. This action promotes the reinvestment in blighted areas of the community and encourages the redevelopment of existing parcels.

## Fiscal Impact:

This action only limits unrealized revenue on properties that have already paid or have been counted in impact capacity formulas.

Submission Date and Time: 10/22/2014 4:45 PM

Department: _____ Prepared by: _____ Attachments: Yes___ No___ Advertised:___Not Required___ Dates: _____ Attorney Review : Yes___ No___ _____ Revised 6/10/04	Reviewed by: Dept. Head _____ Finance Dept. _____ Deputy C.M. _____ Submitted by: _____ City Manager _____	Account No. _____ Project No. _____ WF No. _____ Budget _____ Available _____
---	--	---

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE CITY OF LEESBURG, FLORIDA, ESTABLISHING A WAIVER ON COLLECTION OF CITY IMPACT FEES UNTIL MARCH 31, 2015, RETROACTIVE TO OCTOBER 1, 2014; SETTING FORTH LEGISLATIVE FINDINGS, SUSPENDING COLLECTION OF WATER, WASTEWATER, AND MUNICIPAL SERVICES IMPACT FEES FROM THE EFFECTIVE DATE OF THIS ORDINANCE UNTIL MARCH 31, 2015, TO ALLOW TIME FOR THE CITY TO RE – EVALUATE ITS POLICY ON COLLECTION OF IMPACT FEES FROM NEW BUSINESSES MOVING INTO EXISTING, VACANT STRUCTURES; LIMITING THE WAIVER OF IMPACT FEES UNDER THIS ORDINANCE TO NEW BUSINESSES MOVING INTO EXISTING VACANT STRUCTURES, AND REDEVELOPMENT OF EXISTING STRUCTURES, REQUIRING PAYMENT OF IMPACT FEES SUSPENDED BY THIS ORDINANCE IF A CERTIFICATE OF OCCUPANCY OR BUSINESS TAX RECEIPT FOR THE PROJECT OR BUSINESS IS NOT ISSUED WITHIN TWELVE MONTHS OF ISSUANCE OF A BUILDING PERMIT FOR THE PROJECT, PROVIDING A SAVINGS CLAUSE, AND PROVIDING AN EFFECTIVE DATE.

**WHEREAS**, the City of Leesburg recently reinstated collection of impact fees on all residential, commercial and industrial development within its boundaries, for water, wastewater, and municipal services – including police services, fire and rescue services, and recreation services, and

**WHEREAS**, impact fees are a vital part of the City's efforts to plan and pay for municipal services required by new development, and have been utilized successfully for those purposes, and

**WHEREAS**, beginning in 2008 the City of Leesburg, along with the rest of the United States of America, experienced a serious economic downturn which has resulted in numerous deleterious consequences including the closing of businesses, a precipitous decline in all categories of construction, severely high unemployment, and a crippling decline in ad valorem tax revenues, and

**WHEREAS**, the City Commission has recognized that impact fees can impede the location of new businesses in existing structures, and redevelopment of run down or dilapidated structures, and therefore wishes to take steps intended to attract redevelopment and new business in such structures, and to encourage economic growth through revitalization and occupancy of such structures, and

**WHEREAS**, the City Commission believes a change in its policy toward impact fees for redevelopment of existing structures, and location of new businesses in existing structures, will assist in attracting new business and encouraging the improvement of structures, and thus wishes to enact a temporary suspension of impact fees for occupancy of those structures, to allow time to reformulate the City's overall policy regarding impact fees for redevelopment of abandoned structures,

**NOW THEREFORE, BE IT ENACTED BY THE PEOPLE OF THE CITY OF LEESBURG, FLORIDA:**



## **SECTION I.**

Until March 31, 2015, the City of Leesburg waives collection of any impact fees imposed under its Code of Ordinances, including but not limited to the Water System Capacity Impact Fee under §22 – 324, the Wastewater System Capacity Impact Fee under §22 – 325, and the Municipal Services Impact fees for police services, fire and rescue services, and recreation services, under §§7 – 251 and 7 – 252, as applied to new businesses locating within an existing structure, and projects involving the improvement of existing structures, within the municipal limits of the City of Leesburg. During the period of this waiver, the City will evaluate its overall policy for the imposition of impact fees for redevelopment and new occupancy of existing structures, and propose a new ordinance revising its policy accordingly. To qualify for this waiver, the existing structure must meet the criteria specified in Section II below.

## **SECTION II.**

To take advantage of the waiver of impact fees created by this Ordinance, the existing structure must have been vacant for a period of at least six months prior to application for a building permit, and construction must substantially commence on the development or project for which a permit was obtained, within 90 days from the date the permit is issued, and be prosecuted diligently to completion. Substantial completion must be achieved within no more than twelve months after issuance of the building permit. If the project or business is not issued a certificate of occupancy or Business Tax Receipt within twelve months after issuance of the building permit, the developer shall be required to remit the impact fees in full as a condition of issuance of the certificate of occupancy or Business Tax Receipt. For projects requiring multiple certificates of occupancy, if the entire project is not completed within twelve months of permit issuance, certificates of occupancy for those portions completed within the twelve months shall be valid but no further certificates of occupancy will be issued after expiration of the twelve months until all impact fees attributable to the remaining portions of the project are paid in full.

## **SECTION III.**

On March 31, 2015, at midnight, this Ordinance shall expire and the impact fees payable in accordance with the City Code shall be due and collectible on all developments and projects to which they apply by law, as of April 1, 2015, unless this waiver is extended by Resolution of the City Commission, such extension to be no longer than 90 days without passage of an ordinance granting a further extension.

## **SECTION IV.**

If any portion of this Ordinance is declared invalid or unenforceable, and to the extent that it is possible to do so without destroying the overall intent and effect of this Ordinance, the portion deemed invalid or unenforceable shall be severed herefrom and the remainder of the ordinance shall continue in full force and effect as if it were enacted without including the portion found to be invalid or unenforceable.

## **SECTION V.**

This Ordinance shall become effective upon its passage and adoption according to law, but its provisions shall be retroactive to October 1, 2014. This Ordinance shall remain in effect until March 31, 2015, unless extended as provided herein.

**PASSED AND ADOPTED** at the regular meeting of the City Commission of the City of Leesburg, Florida, held on the 27<sup>th</sup> day of October, 2014.

THE CITY OF LEESBURG, FLORIDA

BY: \_\_\_\_\_  
MAYOR

Attest: \_\_\_\_\_  
CITY CLERK



# AGENDA MEMORANDUM

**Item No:** 5B.  
**Meeting Date:** October 27, 2014  
**From:** Al Minner, City Manager  
**Subject:** Ordinance to create a Bird Sanctuary in designated areas

---

## Staff Recommendation:

Pursuant to the request from Commission Bill Polk, this ordinance adopts a bird sanctuary in designated areas of the City of Leesburg.

## Fiscal Impact:

None.

**Submission Date and Time:** 10/22/2014 4:45 PM

Department: _____ Prepared by: _____ Attachments: Yes___ No___ Advertised: ___Not Required___ Dates: _____ Attorney Review : Yes___ No___ _____ Revised 6/10/04	Reviewed by: Dept. Head _____  Finance Dept. _____  Deputy C.M. _____ Submitted by: City Manager _____	Account No. _____  Project No. _____  WF No. _____  Budget _____  Available _____
--	--	---

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE CITY OF LEESBURG, FLORIDA, CREATING §15 – 17 OF THE CODE OF ORDINANCES TO CREATE A BIRD SANCTUARY IN DESIGNATED AREAS, PROVIDING FOR AMENDMENT OF AREAS SO DESIGNATED BY RESOLUTION OF THE CITY COMMISSION, REPEALING CONFLICTING ORDINANCES, PROVIDING A SAVINGS CLAUSE, AND PROVIDING AN EFFECTIVE DATE.

BE IT ENACTED BY THE PEOPLE OF THE CITY OF LEESBURG, FLORIDA:

**SECTION I.**

§15 – 17 is hereby added to the Code of Ordinances of the City of Leesburg, Florida, and shall read as set forth below:

**15 – 17. Bird Sanctuary.**

- (a) The following areas within the limits of the City of Leesburg, Florida, are hereby designated as a bird sanctuary:

Begin at the intersection of U.S. 27 and Dixie Avenue (SR44), run thence Easterly along the South right of way line of Dixie Avenue to its intersection with South Lake Street, then run South along the West right of way of South Lake Street and an extension thereof in a straight line, to the waters of Lake Harris; thence run thence run due West across the mouth of Venetian Cove to the shore of Lake Harris on the West side of the mouth of Venetian Cove, then run Westerly along and with the waters of Lake Harris to the mouth of the 9<sup>th</sup> Street Canal, thence continue across the mouth of 9<sup>th</sup> Street Canal and along the waters of Lake Harris until they intersect the East right of way of U.S. 27, thence run North along the East right of way of U.S. 27 to the Point of Beginning.

- (b) It shall be unlawful for any person to shoot, trap, or in any manner kill or destroy birds or their nests within the bird sanctuary area described above. This provision may be enforced in any manner prescribed by law or this Code, including but not limited to a code enforcement citation under Chapter 2, Article IV, Division 2 of this Code.
- (c) The City Commission may, by resolution, amend the description of the area designated as a bird sanctuary by adding additional land (whether or not contiguous to the area described above), or removing area from the bird sanctuary. Once such a resolution is adopted, the area of the bird sanctuary as amended shall be afforded all protection prescribed in this Ordinance.

**SECTION II.**

All ordinances or part of ordinances which are in conflict with this Ordinance are hereby repealed, to the extent necessary to alleviate the conflict, but shall continue in effect insofar as they are not in conflict herewith, unless repeal of the conflicting portion destroys the overall intent and effect of any of the conflicting ordinance, in which case those ordinances so affected shall be hereby repealed in their entirety.

### **SECTION III.**

If any portion of this Ordinance is declared invalid or unenforceable, and to the extent that it is possible to do so without destroying the overall intent and effect of this Ordinance, the portion deemed invalid or unenforceable shall be severed herefrom and the remainder of the ordinance shall continue in full force and effect as if it were enacted without including the portion found to be invalid or unenforceable.

### **SECTION IV.**

This Ordinance shall become effective upon its passage and adoption according to law.

**PASSED AND ADOPTED** at the regular meeting of the City Commission of the City of Leesburg, Florida, held on the 24<sup>th</sup> day of October, 2014.

THE CITY OF LEESBURG, FLORIDA

BY: \_\_\_\_\_  
JOHN CHRISTIAN, Mayor

Attest: \_\_\_\_\_  
BETTY RICHARDSON, City Clerk



# AGENDA MEMORANDUM

**Item No:** 5C.

**Meeting Date:** October 27, 2014

**From:** Fred Morrison, City Attorney

**Subject:** Proposed ordinance amending Chapter 5 Subsection 3(a) of the Code of Ordinances pertaining to sales of alcoholic beverages setback requirements for nonprofit corporations in the P (Public) zoning district with a Conditional Use Permit.

---

## Staff Recommendation:

Adopt the proposed ordinance amending Chapter 5 Subsection 3(a) of the Code of Ordinances pertaining to sales of alcoholic beverages setback requirements for nonprofit corporations in the P (Public) zoning district with a Conditional Use Permit.

## Analysis:

Current code imposes setbacks on establishments selling or serving alcoholic beverages, from certain uses like churches and schools. The City has received a request from a nonprofit organization to sell alcohol intermittently in conjunction with performances and events at its location, which would be too close to a school and church under current code. This amendment is narrowly crafted to allow a nonprofit organization located on land zoned P – Public to sell or serve alcohol a limited number of times per year, if granted a Conditional Use Permit for that purpose, without regard to the setbacks applicable to commercial businesses selling alcohol.

## Options:

1. Adopt the proposed Ordinance as presented.
2. Such alternative action as the Commission may deem appropriate

## Fiscal Impact:

This Ordinance will not require the City to expend funds.

**Submission Date and Time:** 10/22/2014 4:45 PM

Department: _____ Prepared by: _____ Attachments: Yes___ No___ Advertised: _____ Not Required _____ Dates: _____ Attorney Review : Yes___ No___ _____ Revised 6/10/04	Reviewed by: Dept. Head _____ Finance Dept. _____ Deputy C.M. _____ Submitted by: _____ City Manager _____	Account No. _____ Project No. _____ WF No. _____ Budget _____ Available _____
--	--	---

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE CITY OF LEESBURG, FLORIDA, AMENDING §5 – 3(a) OF THE CODE OF ORDINANCES PERTAINING TO SALES OF ALCOHOLIC BEVERAGES, CREATING AN EXCEPTION FROM THE SETBACK REQUIREMENTS FOR NONPROFIT CORPORATIONS IN THE P (PUBLIC) ZONING DISTRICT ONLY, UNDER LIMITED CIRCUMSTANCES, FOR OCCASIONAL SALES WITH A CONDITIONAL USE PERMIT, SPECIFYING CONDITIONS FOR THE EXCEPTION FROM SETBACK REQUIREMENTS, REPEALING CONFLICTING ORDINANCES, PROVIDING A SAVINGS CLAUSE, AND PROVIDING AN EFFECTIVE DATE.

BE IT ENACTED BY THE PEOPLE OF THE CITY OF LEESBURG, FLORIDA:

SECTION I.

§5 – 3(a) of the Code of Ordinances is amended to read as set forth below (language added is double underlined):

- (a) No person or commercial establishment required to maintain a vendor license issued by the Florida Division of Alcoholic Beverage and Tobacco that sells or serves alcoholic beverages for consumption on the premises, which has or is required to have an business tax registration to operate, shall be located or operate within five hundred (500) feet of a child day care center, public park or playground, hospital, church or school, approved by the city or any other governmental body with land use jurisdiction over the facility, or within five hundred (500) feet of any other establishment approved by the city or any other governmental body with land use jurisdiction over the facility, which sells or serves alcoholic beverages for consumption on the premises, or within three hundred (300) feet of any property zoned for residential uses. These setbacks may be reduced for property owned, or leased for a period in excess of one year, by a nonprofit corporation, which is located within the P (Public) Zoning District, to permit, as a Conditional Use only, the occasional sale of alcohol for consumption within wholly enclosed premises, but only in connection with a performance or other event held on the property. For purposes of this exception only, the term "occasional" shall mean not more than 55 times in any twelve month period. The Conditional Use Permit may at the City's option impose conditions more restrictive than those specified in this Ordinance, for the protection of the public health, safety and welfare.

SECTION II.

All ordinances or part of ordinances which are in conflict with this Ordinance are hereby repealed, to the extent necessary to alleviate the conflict, but shall continue in effect insofar as they are not in conflict herewith, unless repeal of the conflicting portion destroys the overall intent and effect of

any of the conflicting ordinance, in which case those ordinances so affected shall be hereby repealed in their entirety.

### **SECTION III.**

If any portion of this Ordinance is declared invalid or unenforceable, and to the extent that it is possible to do so without destroying the overall intent and effect of this Ordinance, the portion deemed invalid or unenforceable shall be severed herefrom and the remainder of the ordinance shall continue in full force and effect as if it were enacted without including the portion found to be invalid or unenforceable.

### **SECTION IV.**

This Ordinance shall become effective upon its passage and adoption according to law.

**PASSED AND ADOPTED** at the regular meeting of the City Commission of the City of Leesburg, Florida, held on the \_\_\_\_\_ day of \_\_\_\_\_, 2014.

THE CITY OF LEESBURG, FLORIDA

BY: \_\_\_\_\_  
JOHN CHRISTIAN, Mayor

Attest: \_\_\_\_\_  
BETTY RICHARDSON, City Clerk





# AGENDA MEMORANDUM

**Item No:** 5.D

**Meeting Date:** October 27, 2014

**From:** Fred Morrison, City Attorney

**Subject:** Proposed ordinance Regulating Medical Marijuana and Related Uses

---

## **Staff Recommendation:**

Adopt the proposed ordinance amending Chapter 5 of the Code of Ordinances to add new §5 – 16 regulating Medical Marijuana by prohibiting Medical Marijuana Dispensaries and the growing of Marijuana, within the municipal limits.

## **Analysis:**

In anticipation of the potential approval by votes of Amendment 2, which would legalize medical marijuana operations including cultivation and distribution, under the conditions stated in Amendment 2 and any enabling legislation passed by the State Legislature, cities and counties are grappling with how best to regulate the possible new industry. Some have opted only to pass a moratorium for a period of months, after which they would have to adopt a more permanent set of regulations. Others have approached it with zoning restrictions, restricting medical marijuana dispensaries to specified zoning districts and imposing setbacks and other requirements. The ordinance being proposed in Leesburg takes a different approach, banning entirely all medical marijuana dispensaries and the cultivation of marijuana, while allowing limited use of the substances by persons who acquired it lawfully for medical purposes, from a dispensary located outside Leesburg. The justification for this approach is twofold.

First, from a public safety and welfare standpoint, and based on experience in locations where medical marijuana has been legalized, the City staff anticipates adverse impacts if dispensaries and farms were to locate within Leesburg. For example, due to Federal law (discussed in more detail below), banks and other licensed depositories are reluctant to accept deposits of money from medical marijuana dispensaries, fearing among other things enforcement by Federal authorities of the money laundering provisions of Federal law. This in turn leaves the dispensaries with a lot of cash on hand, which must be transported and stored, providing a ready target for those who would attempt to steal it. This is somewhat similar to the now – outlawed adult gaming centers which were required to implement extraordinary security measures for the same reason.

Second, while Amendment 2 would legalize medical marijuana under State law, Federal law would still classify all marijuana as an unlawful controlled substance. Under the Supremacy Clause of the United States Constitution, Federal law is supreme and cannot be altered or annulled by a State

statute or constitutional provision. Thus, the activity in which medical marijuana growers and dispensaries would engage still remains illegal under the laws of the United States. Staff felt it would be inappropriate for Leesburg to adopt regulations for the siting and operation of what would still amount to criminal enterprises under Federal law. At such time as Federal law is changed to accommodate the medical use of marijuana this policy may be revisited, but for now the City Commission should consider whether it might be best to avoid condoning an activity the United States of America considers illegal.

### Options:

1. Adopt the proposed Ordinance as presented.
2. Such alternative action as the Commission may deem appropriate

### Fiscal Impact:

This Ordinance will not require the City to expend funds.

**Submission Date and Time:** 10/22/2014 4:45 PM

Department: <u>City Attorney</u> Prepared by: <u>Fred A. Morrison</u> Attachments: Yes <input type="checkbox"/> No <input type="checkbox"/> Advertised: <input type="checkbox"/> Not Required <input type="checkbox"/> Dates: _____ Attorney Review : Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> _____ Revised 6/10/04	Reviewed by: Dept. Head _____ Finance Dept. _____ Deputy C.M. _____ Submitted by: _____ City Manager _____	Account No. _____ Project No. _____ WF No. _____ Budget _____ Available _____
--	--	---

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE CITY OF LEESBURG, FLORIDA, CREATING CHAPTER 5 SUBSECTION 16 OF THE CITY CODE PERTAINING TO REGULATION OF MEDICAL MARIJUANA DISPENSARIES AND CANNABIS FARMS; PROVIDING DEFINITIONS; PROHIBITING OPERATION OF CANNABIS FARMS AND MEDICAL MARIJUANA DISPENSARIES; AFFIRMING THE INTENT OF THE CITY OF LEESBURG TO ADHERE TO FEDERAL LAW WHICH DECLARES ANY CULTIVATION, USE OR SALE OF MARIJUANA TO BE UNLAWFUL; REPEALING CONFLICTING ORDINANCES; PROVIDING A SAVINGS CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

**WHEREAS**, Amendment 2 is on the ballot throughout the State of Florida for the election in November, 2014; and

**WHEREAS**, if passed Amendment 2 would legalize the cultivation and distribution of marijuana within the State of Florida for medical purposes; and

**WHEREAS**, the City Commission of the City of Leesburg finds that it is in the best interests of the health, safety, welfare and morals of the citizens of Leesburg to prohibit the operation of medical marijuana dispensaries within the municipal limits, along with the operation of any cannabis farm, and

**WHEREAS**, the laws of the United States of America will still deem any cultivation, use, sale and distribution of marijuana to be unlawful for any purpose, notwithstanding passage of Amendment 2, and under the Supremacy Clause of the United States Constitution, the laws of the United States of America are paramount and would not be affected by passage of Amendment 2 or any enabling legislation the Florida Legislature might adopt to implement Amendment 2, and

**WHEREAS**, each City Commissioner, upon taking office, swore an oath to, among other things, support, protect, and defend the Constitution and Government of the United States,

**NOW THEREFORE, BE IT ENACTED BY THE PEOPLE OF THE CITY OF LEESBURG, FLORIDA:**

**SECTION I.**

Chapter 5 Subsection 16 of the Code of Ordinances of the City of Leesburg, Florida, is hereby created to read as set forth below:

**Sec. 5 – 16. Medical Marijuana**

(a) As used in this Section, the following terms shall have the meanings shown:

- (1) Cannabis shall refer to any plant or part of a plant of the genus Cannabis, whether growing or not; the seeds thereof; the resin extracted from any part

of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant or its resin.

- (2) Cannabis Farm shall mean any property used in whole or in part for the growing or cultivation of Cannabis plants, whether or not such growing or cultivation is lawful under the laws of Florida.
  - (3) Marijuana shall mean, and be synonymous with, Cannabis.
  - (4) Medical Marijuana Dispensary shall refer to any facility operated by any organization, individual, or business, holding all necessary licenses issued by the State of Florida, from which Marijuana, Cannabis based products, or Cannabis plants, are delivered, purchased, possessed, or dispensed for medical purposes.
  - (5) Medical Use shall mean any use of any form of cannabis to treat a qualifying medical condition as defined in Amendment 2 and any legislation adopted to implement Amendment 2.
  - (6) Non – Medical Use shall refer to any possession, sale, distribution, transfer, delivery, or use, of Cannabis or Cannabis based products when not associated with any Medical Use thereof.
- (b) Non – Medical Use of Cannabis shall be unlawful within the municipal limits of the City of Leesburg.
  - (c) Cannabis Farms and Medical Marijuana Dispensaries, being unlawful under the laws of the United States of America, are likewise declared to be unlawful within the municipal limits of the City of Leesburg, Florida, whether or not lawful under the laws of Florida.
  - (d) Possession and use of Cannabis for Medical Use, by a person to whom the Cannabis was sold or distributed by a Medical Marijuana Dispensary operated in strict and full accordance with the laws of Florida, and located outside the municipal limits of Leesburg, shall not be a violation of this Code, provided however that any person claiming to be entitled to the benefits of this Subsection shall bear the burden of establishing, by clear and convincing evidence, that he or she was legally prescribed the Cannabis for Medical Use in full compliance with Florida law, and acquired the Cannabis from a fully licensed Medical Marijuana Dispensary. Notwithstanding this Subsection, any sale, transfer, distribution, or delivery of Cannabis by the person claiming the benefits of this Subsection, to any other person whomsoever, whether or not for Medical Use, is prohibited, as is the act by the person claiming the benefit of this Subsection of permitting any other person to use the Cannabis of the person claiming such benefit.
  - (e) If a Medical Marijuana Dispensary is lawfully located on property outside the municipal limits of Leesburg, which is later annexed into the City of Leesburg, such Medical Marijuana Dispensary shall be allowed to continue its operations within the property so annexed, for a period not to exceed 180 days, after which further operation as a Medical Marijuana Dispensary shall be unlawful under this Section.

- (f) In the event of a violation, this Section may be enforced under Article IV, Division 2 of this Code; under §1 – 14 of this Code; or in any other manner allowed by law.

## **SECTION II.**

All ordinances or part of ordinances which are in conflict with this Ordinance are hereby repealed, to the extent necessary to alleviate the conflict, but shall continue in effect insofar as they are not in conflict herewith, unless repeal of the conflicting portion destroys the overall intent and effect of any of the conflicting ordinance, in which case those ordinances so affected shall be hereby repealed in their entirety.

## **SECTION III.**

If any portion of this Ordinance is declared invalid or unenforceable, and to the extent that it is possible to do so without destroying the overall intent and effect of this Ordinance, the portion deemed invalid or unenforceable shall be severed herefrom and the remainder of the ordinance shall continue in full force and effect as if it were enacted without including the portion found to be invalid or unenforceable.

## **SECTION IV.**

This Ordinance shall become effective upon its passage and adoption according to law.

**PASSED AND ADOPTED** at the regular meeting of the City Commission of the City of Leesburg, Florida, held on the \_\_\_\_\_ day of \_\_\_\_\_, 2014.

THE CITY OF LEESBURG, FLORIDA

BY: \_\_\_\_\_  
MAYOR

Attest: \_\_\_\_\_  
CITY CLERK



## AGENDA MEMORANDUM

**Item No:** 5E.

**Meeting Date:** October 27, 2014

**From:** William Spinelli, CPA Finance Director

**Subject:** Resolution electing to use the uniform method of collecting non-ad valorem special assessments levied within the incorporated area of the City

---

**Staff Recommendation:**

Staff recommends adding the City's intent to add the Fire Assessment Fee to the FY 2016 County Tax Bill.

**Analysis:**

The City may consider the development of an assessment program to fund fire services within the incorporated area of the City next year.

Section 197.3632, Florida Statutes, requires that the City hold a public hearing and adopt a resolution of intent to use the uniform method of collection for any assessment program in the calendar year prior to any such collection. The resolution, which does not obligate the City to use the method or impose a special assessment, must be adopted by January 1 and sent to the Lake County Tax Collector, the Lake County Property Appraiser and the Florida Department of Revenue by January 10<sup>th</sup>. If the County Property Appraiser and the County Tax Collector agree, adoption of the resolution can occur as late as March 1<sup>st</sup>. However, we strongly recommend that the City adopt the resolution prior to January 1<sup>st</sup>, as the consent of the County Property Appraiser and the County Tax Collector is not required when the adoption occurs prior to January 1.

Section 197.3632 also requires that notice of the public hearing to adopt the resolution of intent be published in a newspaper of general circulation once a week for the four consecutive weeks immediately before the date of the hearing.

**Options:**

1. Approve Resolution
2. Such alternative action as the Commission may deem appropriate

**Fiscal Impact:**

There is no fiscal impact. This resolution only allows the City to file a notice of intent to put the fire assessment on FY 2016 County Tax Bill. If the City does not implement the fire assessment fee, nothing will be added on to the Tax Bill.

Submission Date and Time: 10/22/2014 4:45 PM

Department: _____ Prepared by: _____ Attachments: Yes___ No ___ Advertised: ___Not Required ___ Dates: _____ Attorney Review : Yes___ No ___ _____ Revised 6/10/04	Reviewed by: Dept. Head _____  Finance Dept. _____  Deputy C.M. _____ Submitted by: _____ City Manager _____	Account No. _____  Project No. _____  WF No. _____  Budget _____  Available _____
---	--	---

**RESOLUTION NO. \_\_\_\_\_**

**RESOLUTION OF CITY OF LEESBURG, FLORIDA ELECTING  
TO USE THE UNIFORM METHOD OF COLLECTING NON-AD  
VALOREM SPECIAL ASSESSMENTS LEVIED WITHIN THE  
INCORPORATED AREA OF THE CITY; STATING A NEED  
FOR SUCH LEVY; PROVIDING FOR THE MAILING OF THIS  
RESOLUTION; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City of Leesburg, Florida (the “City”) is contemplating the imposition of special assessments for the provision of fire services; and

**WHEREAS**, the City intends to use the uniform method for collecting non-ad valorem special assessments for the cost of providing fire services to property within the incorporated area of the City as authorized by section 197.3632, Florida Statutes, as amended, because this method will allow such special assessments to be collected annually commencing in November 2015, in the same manner as provided for ad valorem taxes; and

**WHEREAS**, the City held a duly advertised public hearing prior to the adoption of this Resolution, proof of publication of such hearing being attached hereto as Exhibit A.

**NOW, THEREFORE BE IT RESOLVED:**

1. Commencing with the Fiscal Year beginning on October 1, 2015, and with the tax statement mailed for such Fiscal Year and continuing thereafter until discontinued by the City, the City intends to use the uniform method of collecting non-ad valorem assessments authorized in section 197.3632, Florida Statutes, as amended, for collecting non-ad valorem assessments for the cost of providing fire services. Such non-ad valorem assessments shall be levied within the incorporated area of the City. A legal description of such area subject to the assessment is attached hereto as Exhibit B and incorporated by reference.

2. The City hereby determines that the levy of the assessments is needed to fund the cost of fire services within the incorporated area of the City.

3. Upon adoption, the City Clerk is hereby directed to send a copy of this Resolution by United States mail to the Florida Department of Revenue, the Lake County Tax Collector, and the Lake County Property Appraiser by January 10, 2015.

4. This Resolution shall be effective upon adoption. DULY ADOPTED this 27th day of October, 2014.

CITY OF LEESBURG, FLORIDA

\_\_\_\_\_  
MAYOR

(SEAL)

Attest:

\_\_\_\_\_  
City Clerk



**EXHIBIT A**

**PROOF OF PUBLICATION**

[INSERT PROOF OF PUBLICATION]

## **EXHIBIT B**

### **LEGAL DESCRIPTION**

[INSERT LEGAL DESCRIPTION]



# AGENDA MEMORANDUM

**Item No:** 5F.

**Meeting Date:** October 27, 2014

**From:** DC Maudlin, Public Works Director

**Subject:** Resolution authorizing execution of an Annexation Agreement between Covanta Lake II, Inc. and the City of Leesburg, Florida.

---

**Staff Recommendation:**

Staff recommends approval of an annexation agreement between Covanta Lake II, Inc. and the City of Leesburg.

**Analysis:**

Annexation of the property at 3830 Rogers Industrial Park Rd and all tangible personal property located on that site (Covanta Lake II, Waste to Energy Facility) would provide considerable benefit to the General Fund. Staff estimates the tax benefit to the general fund at approximately \$50,000 per year.

In return for agreeing to apply for annexation, Covanta Lake II, Inc requested certain favorable considerations including: (1) a long term municipal solid waste disposal agreement with tipping fees initially set at \$29.50/ton; (2) access to up to 270,000 gallons of reuse water per day at the bulk rate of \$1,168.05/month; (3) waiver of certain annexation application fees, including Comprehensive Plan amendment fee, rezoning fees, impact fees for water, wastewater, police and fire services; and (4) waiver of gas utility deposit.

In considering the economic analysis, the waiver of one-time fees is a relatively small amount and the gas utility deposit, while sizable, would be escrowed and not available for utility or General Fund use. Reuse water availability exceeds demand at the present time; therefore adding Covanta as a new customer increases water utility revenues by \$14,016 annually.

The two main components of the cost analysis are the tax benefit to the General Fund vs the tipping fees paid for disposal of solid waste. Covanta's disposal agreements with other municipalities and the temporary agreement we currently operate under, indicate their market rate for disposal fees is \$27.50/ton. The City generates approximately 22,000 tons of municipal solid waste per year. The annexation agreement increases tipping fees by \$2.00/ton or approximately \$44,000/year. The increased cost of tipping fees is offset by the \$50,000 tax revenues added to the General Fund.

Using information provided by landfill staff, the Bushnell landfill tipping fees are \$19.00/ton. A round trip to the Bushnell landfill is 29 miles farther than a round trip to the Covanta incinerator. The cost per mile to own and operate a garbage truck is \$3.23/mile for a commercial front loader, \$3.56/mile for a semi-automated side loader to \$4.77/mile for a fully automated side loader. The

increased operating cost significantly exceeds the disposal fee savings; Covanta, at \$29.50/ton was conservatively estimated at \$20,000/year less than the Bushnell landfill at \$19.00/ton.

**Options:**

1. Execute the annexation agreement with Covanta Lake II, Inc.; or
2. Such alternative action as the Commission may deem appropriate

**Fiscal Impact:**

By approving this annexation agreement, the General Fund will receive approximately \$50,000 in Ad Valorem Taxes and the Water fund will receive an additional \$14,016.60 a year for reuse water fees. Additionally, the Solid Waste fund will secure a contract for tipping fees at \$29.50/ton.

**Submission Date and Time:** 10/22/2014 4:45 PM

Department: Public Works Prepared by: DC Maudlin Attachments: Yes XX No _ Advertised: ___ Not Required ___ Dates: _____ Attorney Review : Yes___ No ___ _____ Revised 6/10/04	Reviewed by: Dept. Head DCM  Finance Dept. <u>BLM</u>  Deputy C.M. _____ Submitted by: City Manager _____	Account No. _____  Project No. _____  WF No. _____  Budget _____  Available _____
--	---	---

RESOLUTION NO. \_\_\_\_\_

**RESOLUTION OF THE CITY COMMISSION OF THE CITY OF  
LEESBURG, FLORIDA AUTHORIZING THE MAYOR AND CITY  
CLERK TO EXECUTE AN ANNEXATION AGREEMENT WITH  
COVANTA LAKE II, INC. AND PROVIDING AN EFFECTIVE  
DATE.**

**BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF LEESBURG,  
FLORIDA:**

**THAT** the Mayor and City Clerk are hereby authorized to execute an annexation agreement with Covanta Lake II, Inc. whose address is 3830 Rodgers Industrial Park Road, Okahumpka, Florida 34762.

**THAT** this resolution shall become effective immediately.

**PASSED AND ADOPTED** by the City Commission of the City of Leesburg, Florida, at a regular meeting held the 27<sup>th</sup> day of October 2014.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk



# AGENDA MEMORANDUM

**Item No:** 5G.

**Meeting Date:** October 27, 2014

**From:** DC Maudlin, Public Works Director

**Subject:** Resolution authorizing the Mayor and City Clerk to execute an agreement with Covanta Lake II, Inc. for disposal of municipal solid waste.

---

**Staff Recommendation:**

Staff recommends execution of a long term agreement with Covanta Lake II, Inc. for disposal of municipal solid waste.

**Analysis:**

The City's inter-local agreement with Lake County for disposal of solid waste expired on June 30, 2014. Since then the City has taken municipal solid waste to the Covanta incinerator for disposal in accordance with a short term agreement executed in July 2014. A short term agreement was executed pending the outcome of annexation discussions which were underway at the time. The annexation negotiations have concluded and Covanta has agreed to request annexation in exchange for execution of a long term municipal solid waste disposal agreement and certain other considerations contained in the annexation agreement.

The initial contract term is five (5) years with options for three additional, consecutive five (5) year terms. The initial disposal fee is \$29.50/ton and the contract includes provisions for CPI based annual increases, if warranted.

The initial disposal fee is \$2.00/ton above Covanta's market rate fee in order to offset Covanta tax increases associated with the annexation. The annual tax increase for Covanta (benefit to the General Fund) is approximately \$50,000/year and the additional disposal fees (benefit to Covanta) are approximately \$44,000/year.

Covanta's disposal fees of \$29.50/ton were compared to fees quoted by the Bushnell landfill of \$19.00/ton. The cost to own and operate garbage trucks was calculated at \$3.23/mile for a commercial front loader, \$3.56/mile for a semi automated side loader and \$4.77/mile for a fully automated side loader. A round trip to the Covanta incinerator is 29 miles less than a round trip to the Bushnell landfill. All tickets for a five month period for three residential trucks and three commercial trucks were pulled and using this information the disposal cost was calculated using actual tonnage from the trip tickets. The analysis showed that Covanta, at \$29.50/ton was \$10,282 less than the Bushnell landfill at \$19.00/ton for the six trucks over the five month period. The increased operating cost significantly exceeded the disposal fee savings.

**Options:**

1. Execute an agreement with Covanta Lake II, Inc. for waste disposal; or
2. Such alternative action as the Commission may deem appropriate

**Fiscal Impact:**

The annual savings on solid waste disposal are conservatively estimated at \$20,000/year. Additionally, the benefit to the General Fund in Ad Valorem Taxes is estimated at \$50,000/year.

**Submission Date and Time:** 10/22/2014 4:45 PM

Department: Public Works Prepared by: DC Maudlin Attachments: Yes XX No _____ Advertised: _____ Not Required _____ Dates: _____ Attorney Review : Yes___ No ___ _____ Revised 6/10/04	Reviewed by: Dept. Head DCM Finance Dept. <u>BLM</u> , _____  Deputy C.M. _____ Submitted by: City Manager _____	Account No. _____ Project No. _____ WF No. _____ Budget _____ Available _____
--	---	---

RESOLUTION NO. \_\_\_\_\_

RESOLUTION OF THE CITY COMMISSION OF THE CITY OF  
LEESBURG, FLORIDA AUTHORIZING THE MAYOR AND CITY  
CLERK TO EXECUTE AN AGREEMENT WITH COVANTA  
LAKE II, INC. FOR DISPOSAL OF SOLID WASTE; AND  
PROVIDING AN EFFECTIVE DATE.

**BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF LEESBURG,  
FLORIDA:**

**THAT** the Mayor and City Clerk are hereby authorized to execute an agreement  
with Covanta Lake II, Inc whose address is 3830 Rodgers Industrial Park Road, Okahumpka,  
Florida 34762, for disposal of municipal solid waste.

**THAT** this resolution shall become effective immediately.

**PASSED AND ADOPTED** by the City Commission of the City of Leesburg, Florida, at a  
regular meeting held the 27<sup>th</sup> day of October 2014.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk





# AGENDA MEMORANDUM

**Item No:** 5H.

**Meeting Date:** October 27, 2014

**From:** Ken Thomas, Housing & Economic Development

**Subject:** Resolution authorizing execution of a construction services agreement for the Carver Heights Residential Electric Service Upgrade project.

---

## **Staff Recommendation:**

Staff recommends approval of the resolution authorizing the execution of an Agreement with MDH Enterprises Inc. "dba" Electrical Solutions for the Carver Heights Residential Electric Service Upgrade project for a total cost not to exceed \$410,000.00.

## **Analysis:**

The purpose of this project is to provide electrical construction services to upgrade residential electric services from an overhead service to an underground service in the Carver Heights area of Leesburg.

The Leesburg City Commission authorized acceptance of a grant from the State of Florida, Department of Economic Opportunity on April 22, 2013, pursuant to resolution 9177. The grant funds from the Florida Small Cities Community Block Grant (CDBG) Program Contract Number 13DB-OI-06-45-02-N-25 will be used for this project.

The actual number of services to be upgraded will be determined at the time of the Notice to Proceed is issued to the Contractor. Properties must meet certain eligibility requirements. Qualifying properties will be determined as one final assessment is made just before work begins. An example criteria is a property cannot be vacant. If a property (rental or owner-occupied) was vacant last month it was not eligible, but if that same property is now occupied it may be eligible for the upgrade provided the occupants meet other requirements of the grant.

This project is one of two major projects being completed under the Grant. The other project already approved by Commission is the storm water improvements at the corner of Griffin Road and Beecher Street.

## **Procurement Analysis:**

On August 18, 2014, the Purchasing Division issued Invitation to Bid (ITB) 140291. Notification of this opportunity was made by legal advertisement in the Daily Commercial, Ocala Star-Banner, and Orlando Sentinel as well as posting online at the City's official bid notification site Public Purchase. In addition known local electric contractors were notified by electronic mail. As required by the terms of the Grant the Purchasing Division notified by electronic mail all business in Lake and all adjoining counties registered with the State of Florida Office of Supplier Diversity.

A non-mandatory pre-bid meeting was held on September 2, 2014 with five contractors in attendance. On September 23, 2014 two sealed bids were received from two prospective contractors. Bids were evaluated by staff which determined MDH Enterprises Inc. d/b/a Electrical Solutions submitted the most favorable, responsive and responsible bid. A survey of references revealed the contractor has successfully performed similar contracts for several municipalities.

The grant funding requirements include participation goals for Minority/Woman/Disadvantaged Business Enterprises (MBE/WBE/DBE). Contractors submitting bids must make a good faith effort to meet the participation goals. Following award and contract approval by the City Commission the Florida Department of Economic Opportunity (DEO) will perform a desk audit on the procurement process, bid(s) received, and the contract to insure the requirements of the grant agreement were met. Following the desk audit the DEO will issue an audit report. One outcome of the audit report could be not approving the bid submitted by the low bidder. Should that happen the agreement would be terminated and the evaluation process would begin with direction from the DEO.

### **SUMMARY OF BIDS**

<b>BIDDER</b>	<b>Bid Amount Per Upgraded Service</b>
<b>MDH Enterprises Inc. d/b/a Electrical Solutions – Orange City, FL</b>	<b>\$1,400.00</b>
Dalton & Owens Electric Services, Inc. - Leesburg, FL	\$2,469.00

This project is funded with State and Federal grant monies. State and Federal procurement code do not allow for a geographic based preference such as the City's Local Vendor Preference Policy. Therefore the City's Local Vendor Preference policy is not permitted to be applied to this solicitation.

### **Options:**

1. Approve execution of the agreement with MDH Enterprises Inc. d/b/a Electrical Solutions;
2. Such alternative action as the Commission may deem appropriate

### **Fiscal Impact:**

Funds are available in the account listed here.

**Submission Date and Time:** 10/22/2014 4:45 PM

Department: <u>Economic Development</u> Prepared by: <u>Terry Pollard</u> Attachments: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Advertised: <input checked="" type="checkbox"/> Not Required <input type="checkbox"/> Dates: _____ Attorney Review : Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> _____ Revised 6/10/04	Reviewed by: Dept. Head _____ Finance Dept. <u>BLM</u> , _____ Deputy C.M. _____ Submitted by: _____ City Manager _____	Account No. <u>017-6190-559-6310</u> Project No. <u>170EXP</u> WF No. <u>WF0909826/1</u> Budget <u>\$431,908.00</u> Available <u>\$431,908.00</u>
--	---	---

RESOLUTION NO. \_\_\_\_\_

**RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LEESBURG, FLORIDA AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE A CONSTRUCTION SERVICES AGREEMENT WITH MDH ENTERPRISES INC. d/b/a ELECTRICAL SOLUTIONS FOR THE CARVER HEIGHTS ELECTRICAL SERVICE UPGRADE PROJECT FOR A UNIT PRICE OF \$1,400.00; AND PROVIDING AND EFFECTIVE DATE.**

**WHEREAS** the City has entered into an agreement with the State of Florida Department of Economic Development (DEO) with the execution of Program Contract Number 13DB-OI-06-45-02-N-25 providing funds for the work to be performed under this construction services agreement.

**BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF LEESBURG, FLORIDA:**

**THAT** the Mayor and City Clerk are hereby authorized to execute an agreement with MDH Enterprises Inc. d/b/a Electrical Solutions whose address is 7490 SW 38th Avenue, Ocala, FL 34476 (email address: matize@my-es.com) for the Carver Heights Electrical Service Conversion project pursuant to Invitation to Bid 140291.

**THAT** this resolution shall become effective immediately.

**PASSED AND ADOPTED** by the City Commission of the City of Leesburg, Florida, at a regular meeting held the 27th day of October 2014.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk



# AGENDA MEMORANDUM

**Item No:** 5I.

**Meeting Date:** October 27, 2014

**From:** William Spinelli, CPA, Finance Director

**Subject:** Resolution authorizing execution of an agreement with Public Financial Management, Inc. for Financial Advisor Services.

---

**Staff Recommendation:**

Staff recommends approval of the resolution authorizing execution of the Professional Services Agreement with Public Financial Management, Inc. (PFM).

**Analysis:**

The City requires the services of a Financial Advisor (FA) to assist staff in the management of our complicated debt structure which requires constant attention due to the reporting and disclosure responsibilities the City has to its citizens, investors, Wall Street and its various rating agencies.

The FA provides the expertise needed when the issuance of bonds or other financing instruments are needed. They also assist staff in providing information to rating agencies on a continuing basis in the form of surveillance calls.

The agreement with Larson Consulting Services, LLC expired August 30, 2014. Prior to the expiration of that agreement, the City Manager directed staff to prepare and issue a Request for Proposal. The four person evaluation committee has come to a consensus of Public Financial Group, Inc. as submitting the most favorably ranked proposal.

**Procurement Analysis:**

On July 23, 2014 the Purchasing Division issued Request for Proposal (RFP) 140442 requested interested and qualified firms to submit proposals in response to the RFP. On August 21, 2014 the City received five responses from those firms listed in the attached Notice of Ranking.

Evaluation committee members scored each proposal independently based on the evaluation criteria included in the RFP document and restated here for your review. Following the initial scoring the committee came to a consensus on the top two ranked firms. They were Public Financial Management, Inc., ranked number 1, and Dunlap and Associates, Inc. ranked number 2. Each firm was invited to meet with the evaluation committee in an interview format to answer questions the committee had as a result of reviewing their proposals.

Following the interviews committee members were afforded the opportunity to revise their scoring based on the information they received from the firms in each of their interviews. The result of the

revised scoring was PFM remained the top ranked firm and Dunlap & Associates, Inc. was ranked number 2.

<b>EVALUATION CRITERIA</b>		<b>WEIGHTING</b>
Experience and Qualifications of the Firm		35 Weight
Experience and Qualifications of Team Members to be Assigned to City		25 Weight
Experience with municipalities similar to the City of Leesburg including the types of utilities operated by the City		20 Weight
Cost of Services		30 Weight
Overall Impression of Firm and Proposal		10 Weight
<b>Total Weight Score Possible</b>		120 Weight
<b>BASE POINTS AVAILABLE (Ranking 0-5 multiplied by weight)</b>		600 Base Points
<b>Local Vendor Preference</b> a. Tier I Local Vendor – Within Leesburg city limits or a Leesburg utility customer – Receives ten (10) Points b. Tier II Local Vendor – Not a Tier I Local Vendor but within a 20-mile radius of the intersection of Main / 14th Streets – Receives four (4) Points c. Awarded to qualifying vendors in addition to the base points.		10 points Maximum
<b>TOTAL POINTS POSSIBLE</b>		610 Points

A summary of the final rankings are as follows:

				<b>Evaluator 1</b>		<b>Evaluator 2</b>		<b>Evaluator 3</b>		<b>Evaluator 4</b>	
<b>Firm Name</b>	<b>Rank</b>	<b>Total Ord.</b>	<b>Points</b>	<b>Score</b>	<b>Rank</b>	<b>Score</b>	<b>Rank</b>	<b>Score</b>	<b>Rank</b>	<b>Score</b>	<b>Rank</b>
PFM	1	4	1957.5	535	1	560	1	485	1	377.5	1
Dunlap & Associates	2	8	1842.5	530	2	544.5	2	410	2	358	2
First Southwest	3	13	1706	445	4	531	3	395	2	334	4
Larson Consulting	4	16	1635	445	4	465	5	380	4	345	3
Public Resources Advisory Group	5	17	1505	460	3	487.5	4	310	5	247.5	5

Attached to this memorandum are:

- **List of Respondents** – List of the firms submitting sealed proposals for evaluation.
- **Notice of Ranking** – Ranking of the firms following the initial scoring of proposals, but before interviews with the two top ranked firms.
- **Final Consensus Memorandum** – The final ranking of the firms following interviews with the top ranked firms.
- **Professional Services Agreement**

Options:

1. Approve the resolution authorizing execution of the Agreement with Public Financial Management, Inc.; or
2. Such alternative action as the Commission may deem appropriate

### **Fiscal Impact:**

The known fiscal impact will be a retainer fee of \$6,000 annually, which is a savings of 30,000 from the prior contract. Any other costs associated with a financial transaction are detailed in the schedule of fees for transactions.

**Submission Date and Time:** 10/22/2014 4:45 PM

Department: <u>Finance Department</u> Prepared by: <u>Mike Thornton</u> Attachments: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Advertised: <input checked="" type="checkbox"/> Not Required <input type="checkbox"/> Dates: <u>July 22, 2014</u> Attorney Review : Yes <input type="checkbox"/> No <input type="checkbox"/>  Revised 6/10/04	Reviewed by: Dept. Head _____  Finance Dept. _____  Deputy C.M. _____ Submitted by: City Manager _____	Account No. <u>Various</u>  Project No. _____  WF No. _____  Budget _____  Available _____
---	--	--

RESOLUTION NO. \_\_\_\_\_

RESOLUTION BY THE CITY COMMISSION OF THE CITY OF LEESBURG, FL AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH PUBLIC FINANCIAL MANAGEMENT, INC. TO PROVIDE FINANCIAL ADVISOR SERVICES; AND PROVIDING AN EFFECTIVE DATE.

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF LEESBURG, FLORIDA:

**THAT** the Mayor and City Clerk are hereby authorized to execute an agreement with **PUBLIC FINANCIAL MANAGEMENT, INC.** whose address 300 S. Orange Avenue, Suite 1170, Orlando, Florida 32801 (e-mail address: jglover@pfm.com) to provide the City with Financial Advisor Services as needed pursuant to Request for Proposal 140442.

**THAT** this resolution shall become effective immediately.

**PASSED AND ADOPTED** by the City Commission of the City of Leesburg, Florida, at a regular meeting held the 27th day of October 2014.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk



# AGENDA MEMORANDUM

**Item No:** 5J.

**Meeting Date:** October 27, 2014

**From:** Bill Wiley, AICP, Community Development Director

**Subject:** Repealing Chapter 25 Zoning Code Section 25-292 Supplemental District Requirements Subsection (3) Alcoholic beverages uses due to a conflict with Chapter 5 Alcoholic Beverages of the code

---

## Staff Recommendation:

The Planning staff and Planning Commission recommend approval of the repealing of Chapter 25 Zoning Code Chapter 25- Section 292 Supplemental District Requirements Subsection (3) Alcoholic beverages uses due to a conflict with Chapter 5 Alcoholic Beverages of the code.

## Analysis:

The City Attorney and staff have determined that Chapter 25 Zoning Code Section 25-292 Supplemental District Requirements (3) Alcoholic beverages uses should be deleted from the code due to a conflict with Chapter 5 Alcoholic Beverages of the code.

By a vote of 4 to 0 on October 16, 2014, the Planning Commission voted to recommend approval.

## Options:

1. Approve the recommended repeal to the Code of Ordinances Chapter 25 Land Development Code Chapter 25 Section 292 Supplemental District Requirements Subsection (3) Alcoholic beverages.
2. Other such action as the Commission may deem appropriate.

## Fiscal Impact:

There should be no fiscal impact to the City with this proposed change.

**Submission Date and Time:** 10/22/14 4:45 PM

Department: Community Development Prepared by: Bill Wiley, AICP Attachments: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Advertised: <input type="checkbox"/> Not Required <input type="checkbox"/> Dates: _____ Attorney Review: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> _____ Revised 6/10/04	Reviewed by: Dept. Head <u>  BW  </u> Finance Dept. _____ Deputy C.M. _____ Submitted by: _____ City Manager _____	Account No. _____ Project No. _____ WF No. _____ Budget _____ Available _____
--	--	---



ORDINANCE NO. \_\_\_\_\_

ORDINANCE OF THE CITY OF LEESBURG, FLORIDA,  
REPEALING CHAPTER 25 SECTION 292 SUBSECTION  
(3) OF THE CODE OF ORDINANCES PERTAINING TO  
SALES OF ALCOHOLIC BEVERAGES, DUE TO A  
CONFLICT WITH CHAPTER 5 - 3 OF THE CODE;  
PROVIDING A SAVINGS CLAUSE, AND PROVIDING AN  
EFFECTIVE DATE.

BE IT ENACTED BY THE PEOPLE OF THE CITY OF LEESBURG, FLORIDA:

**SECTION I.**

Chapter 25 Section 292 Subsection (3) Alcoholic beverages of the Code of Ordinances of the City of Leesburg, Florida, is hereby repealed in its entirety, without however affecting the continuing validity of the remaining portions of Chapter 25 Section 292 of the Code.

**SECTION II.**

If any portion of this Ordinance is declared invalid or unenforceable, and to the extent that it is possible to do so without destroying the overall intent and effect of this Ordinance, the portion deemed invalid or unenforceable shall be severed herefrom and the remainder of the ordinance shall continue in full force and effect as if it were enacted without including the portion found to be invalid or unenforceable.

**SECTION III.**

This Ordinance shall become effective upon its passage and adoption according to law.

**PASSED AND ADOPTED** at the regular meeting of the City Commission of the City of Leesburg, Florida, held on the \_\_\_\_\_ day of \_\_\_\_\_, 2014.

THE CITY OF LEESBURG, FLORIDA

BY: \_\_\_\_\_  
JOHN CHRISTIAN, Mayor

Attest: \_\_\_\_\_  
BETTY RICHARDSON, City Clerk



# AGENDA MEMORANDUM

**Item No:** 5K.

**Meeting Date:** October 27, 2014

**From:** DC Maudlin, Public Works Director

**Subject:** Approval of the monument signs for Sleepy Hollow and Susan Street Recreational Complex signs.

---

**Staff Recommendation:**

Staff recommends approval of the construction of two monument signs at Sleepy Hollow and Susan Street Recreational Complexes by Mid-Florida Signs & Graphics for a total cost of \$23,900.00.

**Analysis:**

The purpose of this project is to construct two monument signs at the entrance of the parks. The signs will be constructed from brick and be located at the entrances to Sleepy Hollow Recreational Complex and Susan Street Recreational Complex.

Staff considered several designs and selected a design incorporating both the city logo and brick columns and color patterns used on Main Street. Both parks will use the same design and construction as shown in the attached 'mock-ups'. The Recreation Advisory Board has reviewed the designs and approved the design presented here.

At the June 23, 2014 commission meeting this same design was presented and approved. At that same time a sign for Venetian Gardens was included in the presentation. Commission directed staff to hold off on the Venetian Gardens entry sign and include it in the Venetian Gardens Master plan. In the Fiscal Impact section staff is requesting the \$5,000 budgeted for the Venetian Gardens sign be used to fund the construction of the Sleepy Hollow and Susan Street signs. The construction cost of those signs has come in over budget.

The awarded contractor is responsible for creating sufficient drawings and engineering to be submitted to the Building Department to obtain the proper permits. The sign face is to carry a 5 year warranty against fading, cracking, chipping and peeling.

**Procurement Analysis:**

The Purchasing Division issued Invitation to Bid 140501 and received two bid responses that are summarized here.

Vendor Name/Location	Susan Street	Sleepy Hollow	Total Bid Both Signs
Mid-Florida Signs & Graphics Leesburg, FL	\$11,950.00	\$11,950.00	\$23,900.00
Complete Signs Dothan, AL	\$11,985.00	\$11,985.00	\$23,970.00

Staff has deemed Mid-Florida Signs as responsible and submitting the lowest responsive bid. Staff recommends award of the purchase to Mid-Florida Signs & Graphics.

**Options:**

1. Approve the design and purchase to Mid-Florida Signs & Graphics; or
2. Such alternative action as the Commission may deem appropriate

**Fiscal Impact:**

The 2014 Capital Improvement Program included \$11,200 for entry signage at Sleepy Hollow and Susan Street Recreational Complexes. Staff have identified \$5,000 from the Venetian Gardens sign and \$7,700 from the 2015 City Manager contingency be approved for this purchase. Funds will be transferred to the Public Works / Grounds account shown below.

**Submission Date and Time:** 10/22/2014 4:45 PM

Department: <u>Public Works / Grounds</u> Prepared by: <u>Mike Thornton</u> Attachments: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Advertised: <input type="checkbox"/> Not Required <input checked="" type="checkbox"/> Dates: _____ Attorney Review : Yes <input type="checkbox"/> No <input type="checkbox"/> _____ Revised 6/10/04	Reviewed by: Dept. Head _____ Finance Dept. <u>BLM,</u> Deputy C.M. _____ Submitted by: _____ City Manager _____	Account No. <u>001-5194-519.63-10</u> Project No. <u>GFAST</u> Req. No.: <u>46915</u> WF No. <u>WF0866149 / 001</u> <u>WF0935329/001</u> Budget <u>\$11,200.00</u> Available <u>\$11,200.00</u>
---	--	---

Attachment A – Sign Mock-up

